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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,348	12/03/2003	Marion Calmer	USPA0035	4001

33512 7590 11/02/2007
LAW OFFICE OF JAY R. HAMILTON, PLC.
331 W. 3RD ST.
NEW VENTURES CENTER SUITE 120
DAVENPORT, IA 52801

EXAMINER

TORRES, ALICIA M

ART UNIT	PAPER NUMBER
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3671

MAIL DATE	DELIVERY MODE
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11/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10726348	12/3/2003	CALMER, MARION	USPA0035

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EXAMINER

Alicia M. Torres

ART UNIT	PAPER
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20071025

DATE MAILED:

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Commissioner for Patents

The reply filed on 24 August 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the added independent claims contain subject matter not supported by the Original Disclosure and are therefore considered as providing New Matter. Claim 62 requires that a stalk roll be capable of consuming at least 56 inches of a corn plant stalk while claim 85 requires that the pulling means be capable of moving 56 inches of a corn plant stalk. The moving and consuming quantity of 56 inches was not described in the Original Disclosure and is therefore considered New Matter. Additionally, claim 85 requires that the relative speed of the engaging means, pinching means, pulling means and horizontal movement means is fixed during operation. However, the Original Disclosure only describes the stalk rolls and the gathering chain as having a fixed relative relationship. This too is considered New Matter. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


Thomas E. Will
Supervisory Patent Examiner
Group 3600